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Security Council

Seventy-first year

Provisional

7815th meeting
Thursday, 17 November 2016, 9 p.m.
New York

President:	Mr. Seck	(Senegal)
Members:	Angola	Mr. Gimolieca
	China	Mr. Shen Bo
	Egypt	Mr. Moustafa
	France	Mrs. Gueguen Mohsen
	Japan	Mr. Akahori
	Malaysia	Mrs. Adnin
	New Zealand	Mr. Van Bohemen
	Russian Federation	Mr. Safronkov
	Spain	Mr. Gasso Matoses
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Wilson
	United States of America	Ms. Power
	Uruguay	Mrs. Carrión
	Venezuela (Bolivarian Republic of)	Mr. Suárez Moreno

Agenda

The situation in the Middle East

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The meeting was called to order at 9 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2016/974, which contains the text of a draft resolution submitted by the United States of America.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Angola, China, Egypt, France, Japan, Malaysia, New Zealand, Russian Federation, Senegal, Spain, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela (Bolivarian Republic of)

The President (*spoke in French*): The draft resolution received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2319 (2016).

I now give the floor to those members of the Council who wish to make statements after the vote.

Ms. Power (United States of America): I would like to start by thanking Council members for the extension that allowed us to work intensively over these last couple weeks with the Russian Federation to secure the text that we have just voted on unanimously today, and I offer my sincere thanks for the spirit in which Russia carried out these negotiations. The stakes on this matter could not be higher.

The eyewitness accounts often start the same way. Helicopters buzzing overhead. Barrel bombs shoved out, only to land without an explosion. Leith Fares, a first responder in Idlib, Syria, recalled at first feeling relieved when one of these bombs did not detonate on 16 March 2015. "It is usually good news when there is no explosion", he said in an interview. But when Leith went into the basement of a nearby home to search for survivors, he said, "I felt short of breath, coughed and became dizzy. I could not even take two breaths". In the basement, six members of the Talib family sheltered, with three children ages one, two and three. None had visible wounds. But when the children arrived at the local hospital, the doctor in charge recalled that "they were foaming at the mouth, they were suffocating, then their hearts stopped". Their parents struggled to breathe too before dying from the attack, along with their 65-year-old grandmother.

Think about how it must feel to be suddenly overwhelmed by the sharp smell of chlorine; to think you have escaped death by bombing only to realize you might die by asphyxiation; to wonder how to run from a weapon that you cannot see that is enveloping you on all sides. It is a suffering so gruesome that the international community has resoundingly condemned the use of chemical weapons and established a norm against their use under any circumstances, as enshrined in the Chemical Weapons Convention.

So the United States welcomes the Council's unanimous decision to extend the mandate of the Joint Investigative Mechanism for another year. The Mechanism is a vital tool for fighting impunity — an independent group of experts with the tools to tell us who is using chemical weapons in Syria, after the Organization for the Prohibition of Chemical Weapons Fact-Finding Mission has determined that chemical weapons were used or were likely used.

The Mechanism's findings are clear. Investigators have concluded that the Al-Assad regime has used chemical weapons against the Syrian people not just in one attack, but in three confirmed attacks so far. That is three confirmed attacks carried out by a Member State of the United Nations; three attacks using weapons that the world concluded decades ago should never be used; three attacks that have caused Syrian men, women and children to suffocate to death. And these are just the attacks for which the Mechanism has to date reached this conclusion. There is credible evidence of many more chemical weapons attacks carried out by the Al-Assad regime. The use of chemical weapons by the Al-Assad regime is a clear violation of Syria's obligations under the Chemical Weapons Convention and under resolution 2118 (2013).

The Mechanism has also confirmed the use of chemical weapons by the Islamic State in Iraq and the Levant (ISIL) in Marea. The United States condemns this attack in the strongest terms, as well as all of

the horrific atrocities that ISIL has carried out and continues to carry out against innocent civilians. This is yet another reason this terrorist organization must be defeated and it is one more reason why the United States will continue to lead the efforts of a 67-member coalition against this colossal threat to our collective security. It underscores the need for the Council to address the threat posed by non-State actors like ISIL who have the capacity and the depravity to use chemical weapons again.

Today's resolution allows the Mechanism to continue its work — work that, unfortunately, sadly, is far from finished. The members of the Security Council need the Mechanism to continue its investigation for three main reasons.

First, the Mechanism is the only institution with a mandate to identify those involved in the use of chemicals as weapons. Until the Mechanism was created, the Security Council received briefings in the passive voice — hearing that chemical weapons "were being used" in Syria, but never hearing which parties were using them. It was, honestly, bizarre. If the Council had failed to extend the Mechanism today, we would have been wilfully blinding ourselves to learning the truth about who is responsible for some of the most deplorable crimes imaginable. We would not have been able to uphold a norm against chemical weapons use if, as a Council, we had decided we did not want to know who was using chemical weapons in the first place.

Secondly, evidence suggests that the Mechanism is in fact helping to dissuade actors from using chemical weapons. This is really important. In the 19 months before the Mechanism was established, there were more than 120 allegations of chemical weapons attacks, but in the 15 months after the Mechanism began its work that number has dropped to approximately 35 alleged attacks. Let us be clear — one chemical weapons attack is one too many and is completely unacceptable and worthy of our collective condemnation. We also know that there are other likely causes, as the Syrian regime has established a pattern of using chemical weapons when it is struggling using conventional means; Russia's entry into the war in September 2015 has given Damascus a significant battlefield edge. Perhaps that explains some of the drop in use. But there is no question that perpetrators who know — as they did before 7 August 2015 when the Mechanism was authorized — that they would never be identified, those perpetrators felt a greater sense of impunity than they must feel now. Even if the Mechanism makes only a small difference in keeping the parties from using chemical weapons, it would save lives and help safeguard a crucial global norm. That is well worth the Council's full and sustained support.

Thirdly and finally, there is so much investigative work left for the Mechanism to complete. The Mechanism has so far only been able to make attribution in four of the nine cases that were initially selected for investigation, and new potential cases continue to emerge. For example, there were numerous reports on 10 August and 6 September that Al-Assad regime helicopters dropped barrel bombs with toxic chemicals on neighbourhoods in eastern Aleppo, sickening dozens of Syrians and killing at least five people. As long as the parties to the conflict in Syria use chemical weapons and as long as previous cases can still be investigated, the Council needs to determine who was involved — and we need the Joint Investigative Mechanism to do it.

But the Council's responsibilities do not end once we know the facts. We already know that the Al-Assad regime and the Islamic State in Iraq and the Levant were involved in chemical attacks. The members of the Council now need to work together to make sure that those who use such gruesome weapons face consequences. There are sharp differences in the Council when it comes to the conflict in Syria; that is clear. But, the unanimous renewal of the mandate reflects one important principle that we share — our unequivocal collective opposition to the use of chemical weapons. That principle led us to adopt resolution 2118 (2013), requiring Syria, whose regime had just carried out a horrific attack, killing at least 1,400 people, to dismantle and destroy its chemical weapons programme under international supervision. That principle led us to create the Joint Investigative Mechanism and to now extend the Mechanism, and it is on the basis of that principle that we should continue to act to hold parties accountable for using chemical weapons against Syrian people.

There is very little in the history of the Syrian conflict that the Security Council has been able to agree upon. Chemical weapons are one such exception to the general rule of Council division. The fact that we can achieve agreement in that narrow but important domain should motivate us. It should motivate us to work harder to stop the slaughter of civilians by other means, and it should motivate us to achieve the political solution that has long eluded the people of Syria, who continue to be attacked in a savage manner to this very day.

Mr. Safronkov (Russian Federation) (*spoke in Russian*): I must touch upon events that preceded today's adoption of resolution 2319 (2016). I stress that we are very concerned by the actions of a number of States, seeking to shift consideration of the issue of the competence of the Security Council to the forum of a purely technical international mechanism in the sphere of armaments and non-proliferation, the Organization for the Prohibition of Chemical Weapons (OPCW).

I am referring to the anti-Syrian decision of 11 November, pushed through the back door of the OPCW Executive Council of the anti-Syrian decision of 11 November, which will inevitably have a negative impact, both on the integrity of the Chemical Weapons Convention (CWC) and the prospects for its universalization, as well as on the authority of OPCW. All of that took place prior to substantive consideration of the outcomes of the work in the last year of the Joint Investigation Mechanism looking into cases of the use of chemical weapons in Syria. The Council, which of course created the Mechanism, is accountable to it. It is hard to call that circumstance anything but disrespect for the competencies of the Security Council.

The decision we have just adopted to extend the mandate of the Joint Investigation Mechanism for a year was the outcome of difficult, complex work with the United States on the content of the resolution, and the result of an extensive negotiating marathon between the representatives of the United States and Russia. The document, in view of our priorities of giving the Mechanism mandate broader geographical scope and a clear counter-terrorist direction, was far from self-evident, yet we agreed to adopt it because we also see its strengths.

Russia's sceptical position on the conclusions presented in the Joint InvestigationMechanism's reports, particularly regarding the modalities of its work, is well known. We intend to continue flagging the technical, logistical, legal and procedural aspects of the Mechanism's activities. Without calling into question the professionalism of the members of Ms. Gamba's team, we trust that they will continue to remember their own responsibility and ensure impartial, objective work. We call on the leadership and personnel of the Joint Investigative Mechanism to not bend to what we expect will be vast amounts of pressure from States guided purely by their own geopolitical interests in the Middle East. Our support of the Council's decision to extend the Mechanism's mandate is dictated by the recognition of the acuteness of those increasing challenges, threats and manifestations of chemical terrorism in Syria and neighbouring Iraq, which, if not today or tomorrow, could soon spill over into and beyond the Middle East.

Over the past two years, the Russian Federation has repeatedly drawn the attention of the international community to the abundant evidence of the use of chemical weapons by terrorists and extremist organizations. We have urged our colleagues in the Council to respond appropriately to the resurgence of chemical terrorism in the Middle East. Sadly, all of our initiatives in that respect, including our corresponding draft resolution with our Chinese partners, have been repeatedly blocked. We see the result. Everyone, even the Mechanism, recognizes that terrorists and militants from the armed opposition in that conflict-torn region of the world are making active use of toxic chemicals against Syrian and Iraqi Government troops and peaceful civilians. The terrorists have developed genuine military chemical capabilities, to the extent that they have the technology to synthesize military-grade poisonous substances such as sarin and mustard gas. Former military chemists and foreign specialists are involved in that work. Such facts are even confirmed by the United States intelligence community.

The Mechanism needs to focus fully on the chemical activities of non-State actors, in particular the Islamic State, Jabhat Al-Nusra, the Harakat Nour al-Din al-Zenki movement, Jaysh Al-Islam, Jaysh Al-Fatah and other armed opposition groups operating in Syria and adjacent countries — which has been highlighted by Damascus in its statements to the Security Council and the OPCW.

Today's resolution gives the necessary mandate to investigate those crimes. What we have on our hands is international terrorism that has already acquired a taste for using nuclear weapons, often with the clearly provocative goal of politically discrediting the Syrian Government. Sadly, once again today we have heard anti-regime statements. The terrorist threat has already acquired global proportions. We once again call on Council members to set aside our political differences and join forces as part of a broad counter-terrorist coalition in order to eradicate this devastating phenomenon.

Mr. Shen Bo (China): China welcomes the Security Council's unanimous adoption of resolution 2319 (2016). Our position on the question of chemical weapons is

clear and consistent. We are firmly opposed to the use of chemical weapons by any country, organization individual in any circumstances.

China is deeply concerned about and strongly condemns the use of chemical materials as weapons in Syria. China has always called on the Joint Investigative Mission of the Organization for the Prohibition of Chemical Weapons and the United Nations to discharge its duty in accordance with the mandate and in a fair, objective and professional manner. Resolution 2319 (2016) contains many positive elements, including that the Joint Implementation Mechanism, in its future mandate, will give more attention to the use of chemical weapons by non-State actors and will exchange more information with Syria's neighbouring countries.

China hopes that the Joint Investigative Mechanism will, on the basis of the respect of the sovereignty of the countries concerned, strengthen coordination with the Syrian Government to thoroughly investigate the use of chemical weapons so as to unveil the truth. China also hopes that the Council will continue to keep the unity we have seen here on the Syrian chemical-weapons issue so as to play a positive role in the ultimate elimination of chemical weapons in Syria and in the maintenance of peace and security in the country, contribute to the resolution of the Syrian conflict by political means and help with the comprehensive, durable and proper resolution of the situation in Syria.

Mrs. Gueguen Mohsen (France) (*spoke in French*): France welcomes the unanimous adoption of resolution 2319 (2016), which makes it possible to renew the mandate of the joint mechanism for the investigation and attribution of the use of chemical weapons in Syria, known as the Joint Investigative Mechanism, for one year. This is a time of unity on the Syrian issue which deserves to be welcomed and which, beyond our divisions as to the resolution of the conflict, represents a strong signal of our desire to together bring an end to the use of chemical weapons in Syria.

Given the latest conclusions of the Joint Investigative Mechanism , which are compelling, confirming the use of chemical weapons by the Syrian regime and by Da'esh, and while other cases of use of chemical agents against the civilian population continue to be reported, it is necessary to allow the Mechanism to continue its work. The gravity of the facts established by the Joint Investigative Mechanism could not leave any room for political divisions. The Security Council established the Mechanism unanimously last year, and it is up to us, out of common agreement, to extend its existence, which is more justified than ever.

It is also a strong signal sent to those responsible for the use of chemical weapons in Syria. Their crimes will continue to be clearly and rigorously established. We are therefore responding to a requirement of justice and, by ensuring the renewal of the Mechanism, we are sending a message of deterrence to all parties involved in the Syrian conflict. It is also an expression of the recognition of the international community for the remarkable work of the Mechanism.

The renewal of the Joint Investigative Mechanism, the strengthening of its resources and the continuation of its work are necessary. That much is clear, but our action cannot stop there. We cannot tolerate the flagrant violation of the universal standard of banning the use of chemical weapons; otherwise, we would bear the intolerable risk of trivializing such actions.

Given such a serious challenge and given this violation of the non-proliferation regime, the Council must take action. We must draw all the consequences from the conclusions of the reports established by the Mechanism, and we must ensure that these crimes will be subject to judicial proceedings and sanctions. As the French authorities have already said on many occasions, France hopes that the Security Council will be in a position to soon adopt a resolution to punish those responsible for chemical attacks identified by the Joint Investigative Mechanism.

Mr. Wilson (United Kingdom): The United Kingdom welcomes the unanimous adoption of resolution 2319 (2016) today, which renews the Joint Investigative Mechanism for another year. I pay tribute to Ms. Power for all her efforts and those of her team to bring the Security Council together on such a vital issue.

I would also like to thank the members of the Joint Investigative Mechanism for their tireless work, which has so often been undertaken in very difficult circumstances. We know without a doubt that the Al-Assad regime and Da'esh used toxic chemicals as weapons against civilians in Syria. Because of the Joint Investigative Mechanism, we know that barrel bombs loaded with chlorine were dropped by the regime on unsuspecting men and women and children in Talmenes, Sarmin and Qmenas, that sulfur mustard was used by Da'esh against innocent people of Marea in August last

year, and that those responsible for war crimes remain free and unpunished to this day.

Tragically, there is even more work ahead for the Joint Investigative Mechanism. Despite all our efforts and despite the pledges made by the Syrian regime to destroy all of its stockpiles, these barbaric acts involving chemicals continue. At least four cases are currently being investigated by the Organization for the Prohibition of Chemical Weapons (OPCW), so today's renewal is sadly necessary, and it will allow the Joint Investigative Mechanism to continue its vital work attributing responsibilities for these latest attacks.

It is not enough to know, however, that chemical attacks have occurred, nor is it enough to know who carried them out. What we need now is justice — for the people of Marea, for the people of Talmenes, Sarmin and Qmenas — and with that justice, an end to the impunity that surrounds the perpetrators of those horrific attacks. The OPCW and the Joint Investigative Mechanism have been clear. It is now time for the Security Council to step up and do its part. The continued use of chemicals as weapons is in clear contravention of international norms and laws and in clear violation of numerous resolutions of the Council. If their use does not constitute a threat to international peace and security I do not really know what does.

We therefore have to act. Today we have taken a valuable first step. We have shown welcome unity. We have shown that we can find common purpose on this matter. Let us use this momentum in the coming weeks and months to ensure that those responsible for the use of these weapons finally face justice.

Mr. Yelchenko (Ukraine): We welcome the unanimous adoption of resolution 2319 (2016), which extends the mandate of the Joint Investigative Mechanism for a one-year period.

Ukraine commends the Joint Investigative Mechanism's efforts aimed at executing its mandate based on the principles of impartiality, objectivity and independence. Its conclusions have proved the importance of having the Mechanism available in the future, since there are still many cases, including some that took place in 2016, that should be thoroughly investigated. We are also deeply concerned with the continuous allegations of possible illegal possession, movement and intention to use toxic substances as chemical weapons in Syria.

At the same time, the resolution envisages additional tasks for the Joint Investigative Mechanism in the future, in particular investigating the illegal activity of non-State actors. We believe that this change of focus for the Mechanism will not lead to overlooking the primary part of its mandate pursuant to resolution 2235 (2015).

Removing the threat of any use of chemical weapons in the Syrian Arab Republic is an essential element in creating proper conditions for de-escalating tensions on the ground, tackling extremism and reaching a sustainable political solution to the crisis in a broader context. The international community must have full confidence that Syria has irreversibly abandoned its chemical-weapons programme and that those responsible for organizing and committing horrible crimes using chemical weapons as a means of warfare are held accountable.

Mr. Gasso Matoses (Spain) (*spoke in Spanish*): Spain supported today the extension of the mandate of the Joint Investigation Mechanism since it considers it fundamental that the Mechanism continue carrying out its work and that, as the Security Council decided in previous resolutions, those responsible for the use of chemical weapons in Syria be held accountable.

The work of the Mechanism is not yet over, and the reality that we face is troubling. New allegations on the use of chemical weapons keeping coming in, and Joint Investigative Mechanism has already shown that it has a deterrent effect that we need to preserve. Spain is particularly pleased that the resolution we have adopted today includes references to cooperation between the Committee established pursuant to resolution 1540 (2004) and the Joint Investigation Mechanism. This is logical since the 1540 (2004) Committee is a subsidiary body of the Council that ensures that non-State actors do not have access to or use nuclear, chemical or biological weapons.

Moreover, I trust that this Mechanism will be given adequate resources to carry out the work that we have entrusted to it. I am particularly grateful for the efforts of the United States Mission and the Russian Mission for reaching consensus within the Council once more on this occasion. The unity that the Council has once again shown on this issue is a hopeful sign on which we must build a united and robust Security Council response, one that the citizens of Syria have been waiting for.

Mr. Akahori (Japan): Japan welcomes the unanimous adoption of resolution 2319 (2016). The resolution is particularly important given that, to our deepest regret, additional allegations of chemical weapons use in Syria have been continuously reported. It is a grave challenge to the international norm of prohibited chemical weapons. We need to firmly uphold that norm. It is critically important in that regard to uncover the whole picture of the alleged use of chemical weapons in Syria and hold accountable those who are responsible.

The Security Council is sending a strong and clear message by renewing the mandate of the Joint Investigative Mechanism to identify those who are responsible for the use of chemical weapons in Syria. Japan is ready to engage in a constructive manner to enable the Mechanism to accomplish its work even more effectively.

Mr. Moustafa (Egypt) (*spoke in Arabic*): Egypt welcomes the adoption of resolution 2319 (2016) by the Council, which extends the mandate of the Joint Investigate Mechanism by an additional year. We pay tribute to the professionalism shown by those responsible for the Mechanism.

On many occasions we have reiterated the importance of maintaining a high level of objectivity and neutrality in order to hold accountable those responsible for the alleged use of chemical weapons against innocent civilians in Syria. It is important to determine the facts concerning the perpetrators who have carried out such crimes in recent years. Our commitment to that path arises from the concern felt in Egypt and other countries in the Middle East regarding the increase in the capabilities of terrorists and non-State actors with foreign support with respect to the manufacture and use of chemical weapons. We are especially concerned about those actors who have not been identified by the Council within the framework of terrorist groups working in Syria despite their well-known terrorist background and records of odious crimes committed against innocent Syrian people. In that framework, we hope to strengthen the role of the Security Council and the Joint Investigative Mechanism.

With respect to the fight against non-State actors who take part in activities related to the use of chemical weapons in Syria, the Security Council must be in a position to determine how those activities are carried out in order to halt the activities of such groups and prevent their participation in future chemical weapons-related activities. The implementation of resolution 2319 (2016) regarding Da'esh, Jabhat al-Nusrah and other terrorist groups, in the context of the issue of chemical weapons in Syria, can be considered an essential development within the framework of the mandate of the Joint Investigative Mechanism.

We hope that the unity showed by the Council in adopting resolution 2319 (2016) can serve as a new impetus to resolve the crisis in Syria in all of its aspects — military, political and humanitarian.

The meeting rose at 9.30 p.m.